

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )

)

v. )

)

EDWARD BOYER ET. AL. )

CRIMINAL NO. 1:14-CR-10163-NMG

INTERIM STATUS REPORT

The defendants are charged in an indictment with conspiring to distribute and possess with intent to distribute marijuana. 21 U.S.C. § 846, 858, and 841(c)(1).

Pursuant to Local Rule 116.5(b), the parties submit the following joint status report.

**1. Automatic Discovery and Discovery Requests**

The government has provided automatic discovery. The defendants have not yet formally requested additional discovery, although some defendants have made informal requests and the government has responded to those requests.

**2. Timing of Additional Discovery**

Additional reports concerning the drug laboratory and forensic analysis of drug evidence seized in May of this year will be disclosed when received.

### **3. Timing of Additional Discovery Requests**

The deadline for any additional discovery requests was November 14, 2014 and passed without any additional requests.

### **4. Protective Orders**

The parties still perceive no need for the Court to issue any significant protective orders.

### **5. Pretrial Motions**

The defendants have not filed any pretrial motions under Fed. R. Crim. P. 12(b). The Court should consider establishing a date in January or February by which such motions must be filed.

### **6. Timing of Expert Disclosures**

The parties previously agreed that the government shall make expert disclosures 30 days before trial.

### **7. Defenses**

The defendants have not and do not intend to raise and affirmative defenses.

### **8. Excludable Delay**

The time between June 18, 2014 and December 16, 2014 was excluded from the Speedy Trial Act by the Court. Accordingly, zero days of non-excludable time have accrued and 70 days will remain under the Act in which the case must be tried.

### **9. Plea Discussions, Trial**

The parties are still reviewing discovery. Some defendants

have begun to engage in plea negotiations with the government. Nevertheless, it remains difficult to assess the likelihood of trial. Any trial is anticipated to last approximately 7-10 trial days.

**10. Timing of Additional Status Conference**

Mr. Boyer retained new counsel since the last status conference and requests an additional 60 days to review discovery. The government believes that discovery is largely complete and that the Court should report the case to the District Court Judge.

The undersigned circulated a request for information for this Status Report to all counsel of record on December 10, 2014 and counsel for two of eight defendants responded. This report incorporates any comments of counsel who responded.

Respectfully submitted,

CARMEN M. ORTIZ  
United States Attorney

By:

/s/ Theodore B. Heinrich  
THEODORE B. HEINRICH  
Assistant U.S. Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified in the Notice of Electronic Filing.

December 12, 2014

/s/ Theodore B. Heinrich

THEODORE B. HEINRICH

Assistant U.S. Attorney